

## **BELLEVUE PLANNING COMMISSION**

Thursday, November 18, 2021 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

### **1. CALL TO ORDER:**

a. Pledge of Allegiance

b. Roll Call

c. The Open Meetings Act location

d. Approve Minutes of October 28, 2021 Regular Meeting

e. Accept into the record all staff reports, attachments, memos, and handouts regarding each application.

### **2. CONSENT AGENDA/PUBLIC HEARINGS:**

#### **3. PUBLIC HEARINGS:**

a. Request to rezone Lots 1 and 2, Walnut Grove Estates Replat 1, being a replat of Lot 2, Walnut Grove Estates, from AG to RA for the purpose of single-family residential development; and small subdivision plat Lots 1 and 2, Walnut Grove Estates Replat 1. Applicant: Eric Carlson. General Location: 5007 Platteview Road. Case #'s: Z-2110-18 and S-2110-23.

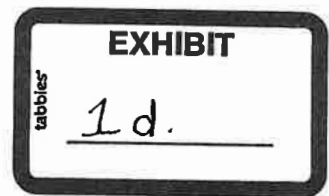
b. Request to approve the redevelopment plan for Lots 1 through 10, and Outlot A, Jefferson Place Addition, being a replat of Lots 1 through 6, and Part of Lots 7-11A, lying South and West of Harvell Drive, Block 170, Bellevue, together with the adjacent vacated streets, avenues, and alleys. Applicant: Mercury Property Management, Inc. General Location: 16th Avenue and Jefferson Street. Case #: ECD #53

c. Request to rezone Lots 1 through 10, and Outlot A, Jefferson Place Addition, being a replat of Lots 1 through 6 and Part of Lots 7-11A, lying South and West of Harvell Drive, Block 170, Bellevue, together with the adjacent vacated streets, avenues, and alleys, from RD-60-OTO to RG-28-PS, with site plan approval, for the purpose of multi-family residential development; and small subdivision plat of Lots 1 through 10 and Outlot A, Jefferson Place Addition. Applicant: Mercury Property Management, Inc. General location: 16th Avenue and Jefferson Street. Case #'s: Z-2110-21 and S-2110-26.

#### **4. CURRENT BUSINESS**

a. Approval of the 2022 Uniform Review Schedule

### **5. ADJOURNMENT at 7:55 PM**



# MINUTE RECORD

Bellevue Planning Commission Meeting, October 28, 2021, Page 1

The Bellevue Planning Commission held a regular meeting on Thursday, October 28, 2021, at 6:00 p.m. in the Bellevue City Council Chambers. Upon roll call, present were Commissioners Casey, Hankins, Aerni, Ritz, and Ackley. Absent were Compton, Cutsforth, Jacobson and Perrin. Also present was Tammi Palm, Planning Department Manager.

Notice of this meeting was given in advance thereof by publication in the Gretna News and Guide, and posting in two public places, and was also given to the Chairperson and members prior to the meeting. These minutes were written and available for public inspection within ten days of the meeting.

Ritz announced a copy of the Open Meetings Act was posted in the entry to the City Council Chambers.

Motion was made by Casey, seconded by Aerni, to approve the minutes of the September 23, 2021, regular meeting as presented. Upon roll call, all present voted yes. Motion carried unanimously.

Ritz asked if there were any updates or additions to staff reports. Palm advised several emails and letters were received since the agenda was published. She stated concerning agenda item 3.b. a letter of opposition from Reba and John KeVERN and opposition emails from Jennifer Wilson, Brian Wilson, and Marty Giff were received. Palm stated concerning agenda item 3.d. a letter of opposition from Kenneth and Edith German was received. Palm stated this information was shared via email and hard copies were also provided to the Commissioners.

Motion was made by Ackley, seconded by Hankins, to accept into the record all staff reports, attachments, memos, and handouts regarding each application, including the additional items. Upon roll call, all present voted yes. Motion carried unanimously.

Ritz explained the public hearing procedures

PUBLIC HEARING was held on a request to rezone Lots 154 through 196, and Outlots "F" through "I," Spring Ridge, being a platting of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, NE, from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots "F" through "I," Spring Ridge. Applicant: Orchard Valley, Inc. General Location: South 21st Street and Gilmore Lake Road. Case #'s: Z-2103-02 and S-2103-05.

Ritz asked staff for updates. Palm stated this item appeared on the Planning Commission agenda on August 26, 2021, at that time it was continued to tonight's meeting. Palm stated there are issues with the platting that needed to be addressed. She stated her recommendation is to continue this item indefinitely.

There was no one present to speak in favor of, or in opposition to this request. Subsequently, Ritz closed the public hearing.

MOTION was made by Casey, seconded by Ackley to continue indefinitely a request to rezone Lots 154 through 196, and Outlots "F" through "I," Spring Ridge, being a platting of Tax Lot 12, Tax Lot 13A, Lot 2 Bohac Addition, and Outlot B, Green Meadows, all located in the Southwest ¼ of Section 22, T14N, R13E of the 6th P.M., Sarpy County, NE, from AG and BG to RA, BG, and RG-8-PS for the purpose of single family and multi-family residential development; and preliminary plat Lots 154 through 196, and Outlots "F" through "I," Spring Ridge. Applicant: Orchard Valley, Inc. General Location: South 21st Street and Gilmore Lake Road. Case #'s: Z-2103-02 and S-2103-05. Upon roll call, all present voted yes. ITEM CONTINUED INDEFINITELY.

PUBLIC HEARING was held on site plan approval for Lot 2, Fontenelle Replat 1, for the purpose of rebuilding an eleven-unit apartment building. Applicant: Mark Sanford. General Location: Hackberry Court and Forest Drive. Case #: Z-2109-17.

Ritz asked staff for updates. Palm stated the request for site plan approval is to rebuild an 11-unit apartment building destroyed by fire earlier this year. She stated the site is located in the Fontenelle Hills Development and the entire development was granted an overall variance in 1967 allowing the RS-120 (Single-Family Residential) zoning. She stated multi-family residential is not typically allowed in the RS-120 zone but based on the original site plan approval it is allowed in this development. Palm stated the applicant is requesting to rebuild the new building in a different location on the site primarily due to ADA (American Disability Act) requirements. Palm stated the existing development does not meet ADA requirements nor is it required to, based on its age. She stated the building would be

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constructed in the area of the existing basketball court and that court will be relocated to the north side of the swimming pool.

David Levy, Baird Holm Law Firm, 1700 Farnam Street, Omaha, NE, was present on behalf of the applicant. Levy stated the building is eleven units, which is a one-for-one in terms of replacing the building destroyed by fire. He stated the building would be constructed on one of the few sites on the property flat enough to meet the ADA requirements.

Mark Sanford, 1306 N. 162<sup>nd</sup> Street, Omaha, NE, stated he was the architect for Elevate Living, LLC. He stated the new building would be similar in architecture as the existing buildings. He stated the area where the old building existed would be turned into green space. Sanford stated they have worked with the Planning and Public Works departments throughout this process.

There was no one present to speak in favor of, or in opposition to this request. Subsequently, Ritz closed the public hearing.

Ackley asked what would become of the site of the old building. Sanford stated the old parking lot would be removed and it would be turned into green space. Ackley stated he had been to the site and would like some clarification on the ADA requirement. He asked if the new building with the parking lot was built in the same area as the old building, could it meet the ADA requirements. Sanford stated ADA parking is required to be 1% or less so due to the slope issues that would be very difficult to get the 1% and the connection from the building to the parking. He stated there is also a 5% slope required by the Fire Department. Discussion ensued regarding meeting ADA requirements on the old building site.

Tom Jizba, Atlas Engineering, 14445 N. 192<sup>nd</sup> Street, Omaha, NE, stated one of the challenges of the property is at the time it was built, there was no consideration for ADA and many of the building have stairs and steps to each building. He stated in order to get the 5% slope for the Fire Department they would have to build a super structure to allow parking off Martin Street and then a walkway or an elevator to the third floor of the structure. Jizba stated to rebuild in the same area became economically unfeasible.

Ackley asked if the new building would require an elevator. Sanford stated the first floor would have the ADA units and elevators would not be required.

Discussion ensued regarding what would need to be done to create a usable, safe green space.

Ackley stated there have been three building fires in the complex, two of those structures have been rebuilt. He asked how many other buildings if destroyed would not be able to be rebuilt in their same location. Jizba stated the majority of buildings would not be able to meet the ADA requirements if they were to be rebuilt.

Tom Pennington, Elevate Living, LLC, 1009 Jones St., Omaha, NE, stated this rebuild is a rarity in that there is an approximate 40-foot elevation change at the old site. He stated it is not feasible to rebuild that building in the same location with the requirements of ADA and the Bellevue Fire Department. He stated the two buildings destroyed by fire were able to be rebuilt in the same location, but this building is unique. He stated if you were standing in the parking lot of the previous building you would be eye level with its roofline.

Ritz asked if the 5% slope would need to be on the Hackberry Court side. Pennington stated the 5% would be on Martin Drive to allow fire trucks to access the building. Ritz asked if the city had reviewed the easement documents sent in by Marty Giff. Palm stated staff, to include the Public Works Department, had reviewed the documents and did not see an issue.

Aerni asked if the building were built on the same site would it be more ADA compliant than the previous building built in 1974. Pennington stated it would not because of the elevation change. He stated an ADA ramp can only extend 30 feet before you are required to have a landing, therefore there would need to be a series of landings to get to the third floor of the building because of the elevation. Discussion ensued regarding the complex's ADA compliance.

Aerni asked how people going to the pool would affect parking in the area. He said neighbors have concerns about parking along the easement. Levy stated there were eight perpendicular stalls in addition to the new building's parking stalls, and not everyone using the pool would be driving to the pool.

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Ritz asked staff if the ADA percentage requirements were for the number of units in the building or for the entire site. Palm stated the Chief Building Official stated because of the age of this complex and most of the buildings not being ADA compliant, any new buildings must comply with ADA requirements. Ritz asked if the pool required parking. Palm stated the pool is not required to have its own parking stalls.

Aerni asked staff if they had any knowledge of Mr. Giff's request to build apartments on his lot in 1997 and it being denied. Palm stated she had no knowledge of the request. Casey stated the previous owner of the property had attempted to build apartments in that area. He said he was not aware of why the request was denied.

Discussion ensued regarding the elevation of the development. Jizba stated site elevations were submitted to the city to insure the 5% maximum slope for the Fire Department.

Commissioner Cutsforth entered the chambers at 6:32 p.m.

Levy displayed a photo of Mr. Giff's property. He said Mr. Giff's property is surrounded by trees and he will not be able to see the building from his property.

Casey stated from what he has heard it is feasible to build the building in the same area of the building destroyed by fire but it is not economical. He asked if the applicant had calculated the cost of rebuilding in the current location. Pennington stated it is feasible to build the building in the same location with it being ADA compliant, but it is not feasible to get from the parking lot to the building and be ADA compliant. Levy stated it would be a three million dollar cost to build the building in the same area.

Ritz asked why a parking lot could not be built off Hackberry Court. Pennington stated a line of garages would need to be demolished in order to create a parking lot off Hackberry Court. Discussion ensued regarding possible placement of the parking lot.

Aerni stated this property is already established so neighbors built their homes knowing they would be living next door to an apartment complex. Palm stated this is a permitted use and the development is already established. She stated from a planning perspective they are not increasing the density and there will be minimal impact to the neighbors.

Aerni stated he visited the site and saw many broken garage doors and wanted to address Mr. Giff's nuisance complaints. Pennington stated in the last week he has had a crew going through the complex checking garage doors in need of repairs. He stated the residents will sometimes throw large items such as mattress' in the dumpster which cannot be picked up by the normal trash truck, so those items are pulled from the dumpster and a special trash collector is contacted to pick those items up. Pennington stated he has a crew of four on site, five days per week picking up trash and cleaning up.

Cutsforth asked when the storm damage limbs would be picked up. Pennington stated he has called a contractor for that clean up and he has cleaned up tree limbs from Mr. Giff's property that have fallen on the road that is shared by the properties.

Ackley asked staff if the easement was private and if any parking in that easement would not be an issue for the city. Palm stated it is a private easement and the engineering staff has reviewed the parking within that easement and feels there is enough width to not create any problems.

Justin Insinger, 3427 N. 161<sup>st</sup> Avenue, Omaha, NE, stated the proposed parking shown on the site plan is outside of the easement. Discussion ensued regarding the parking and easement area.

Aerni stated the site where the building was demolished is very steep so turning that area into green space would limit the usable space. Pennington stated there are three existing retaining walls and an additional wall will probably be added allowing the area to be used by the residents.

Aerni commented he noticed Mr. Giff enter the Council Chambers and would like to reopen the public hearing.

MOTION was made by Aerni, seconded by Ackley to re-open the public hearing due to the recent change in meeting time. Upon roll call, all present voted yes.

Ritz re-opened the public hearing.

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Marty Giff, 106 Forest Drive, Bellevue, NE, stated he is an adjacent neighbor to the property and is opposed to the request. He stated these apartments were built about 1970's by Joe Dennis. Giff stated Mr. Dennis sold part of the property and in 1997 requested to build more apartments on the property he retained which borders the property of tonight's hearing. He stated Mr. Dennis' request was denied because it did not conform to the neighborhood. Giff stated he purchased that property from Mr. Dennis in 1998 and built his current residence. He said although his residence borders an apartment complex he built his home as far as possible from the complex to minimize any negative effect. Giff stated building the apartment building on the edge of their property adversely affects his and the neighbors' homes. Giff stated the Planning Department has recommended approval because of conformance with the Zoning Ordinance and the Comprehensive Plan. He said he questions that recommendation because the current zoning on the property is RS-120-PUD (Single-Family Residential – Planned United Development) which is for single-family detached homes.

Robert Sink, 111 Forest Drive, Bellevue, NE, stated he ceded his speaking time to Mr. Giff.

Giff stated he questions why the city is not striving to bring non-conforming properties into conformance with the current regulations. He stated the -PUD overlay intent is to encourage creative design and protect the health, safety and general welfare of future and existing residents of surrounding neighborhoods. Giff stated for the -PUD overlay you must submit a plan, which shows easements and property lines. He said the plans he has seen for this request do not show easements and property lines. Giff stated access to the new building would be on an easement road which half is on his property. He stated he believes the parking impedes that easement and he will not allow it. Giff stated there is no parking available for the pool area and therefore they will be parking on his property. He stated the dumpsters for this building would smell and attract rodents. He said the trash trucks are loud and sometimes pick up at 4:00 a.m. He stated these conditions are not compatible to the surrounding area.

John Marcuzzo, 209 Bellevue Boulevard South, Bellevue, NE, stated his residence is on the corner of Forest Dr. and Bellevue Blvd. where the majority of traffic goes in and out of the Fontenelle Hills site. He stated the previous building had an exit onto Hackberry Court. Marcuzzo stated if the building were moved to the new site, there would be an additional twenty-two vehicles going past his home. He stated he counted 169 vehicles in the morning going past his home between 6:30 a.m. and 8:30 a.m. Marcuzzo calculated a 13% increase in traffic with the new building location. He stated the existing location would be a better area to construct the new building.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Palm stated in April 1967 the City Council approved the entire Fontenelle Hills development under the RS-120 zoning with site plan approval. She stated this was done differently than it would be today; however, in that ordinance specific uses for specific pieces of property were outlined. Palm stated allowed under that entire RS-120 zoning are single-family residential, duplex residential, multi-family residential, and golf courses. She stated this request complies with the development plan that was approved in 1967.

Levy stated the dumpster for the new site would be on the north side of the building and would be screened by a dumpster enclosure. He stated if Mr. Giff looks out his front door he would not be able to see the new building. Levy stated the number of units/bedrooms is not changing and the new building would be nearly identical to the building destroyed by fire. He said not everyone who lives in these apartments have two people driving during the morning hours or that they would only use that one way to go in and out of the complex. Levy stated he feels the traffic increase would be minimal.

Ackley stated for the benefit of Mr. Marcuzzo and Mr. Giff, an approximate fifty-minute discussion was had before they joined the meeting. He stated some of the Commissioners would like to be able to construct the building in the same location but unfortunately, it is financially impractical. Ackley stated from Ms. Palm's prospective the previous zoning and site plan approval allows this area to be apartments. Ackley stated Mr. Giff's easement concerns would be a private issue for the two parties to discuss.

Ritz asked who removes snow and maintains the parking areas and the roads. Pennington stated the apartment complex is responsible for that maintenance. Discussion ensued regarding increased traffic.

Casey stated he lives on Forest Drive and initially felt he could be objective, but after hearing the

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concerns tonight, he could no longer be objective and would abstain from voting.

MOTION was made by Cutsforth, seconded by Hankins to recommend APPROVAL of a request for site plan approval for Lot 2, Fontenelle Replat 1, for the purpose of rebuilding an eleven-unit apartment building. Applicant: Mark Sanford. General Location: Hackberry Court and Forest Drive. Case #: Z-2109-17. APPROVAL based upon conformance with the Zoning Ordinance and Comprehensive Plan. Upon roll call, Hankins, Cutsforth, Ritz, and Ackley voted yes, Aerni voted no, Casey abstained. MOTION carried.

**This item will proceed to City Council for PUBLIC HEARING ON December 7, 2021.**

PUBLIC HEARING was held on a request to rezone Lot 1C, Except Part for NRD, Palmtag's Subdivision; that part of Tax Lot F1A and Part of Tax Lot J southwesterly of NRD taking; and Tax Lot F1B and Part of Tax Lot H; all located in the Southwest ¼ of Section 11, T13N, R13E of the 6th P.M., Sarpy County, NE, from BNH to ML for the purpose of industrial development. Applicant: Zapo, LLC. General location: Fort Crook Rd. S. and Fairview Rd. Case #: Z-2109-15.

Ritz asked staff for an update. Palm stated the applicant was requesting to rezone several parcels of land on the northeast corner of the intersection of Fort Crook Road South and Fairview Road. She stated the current zoning is BNH (Heavy Neighborhood Business) and the request is for light industrial zoning. Palm stated the request is in conformance with the Comprehensive Plan and no platting has been requested at this time but will be done at a later date. Palm said staff is recommending approval based on conformance with the Comprehensive Plan and Zoning Ordinance.

Kyle Haase, 10909 Mill Valley Road, Omaha, NE, was present on behalf of the applicant. Haase stated currently there are no proposed users for the site.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Ackley stated the map shows the property immediately west of this property as FX (Flex Space) but the report lists it as ML (Light Manufacturing). Palm stated after a recently approved zoning change, the Sarpy County GIS map had not been updated at this time the map was printed but the ML zoning was correct.

MOTION was made by Ackley, seconded by Cutsforth to recommend APPROVAL of a request to rezone Lot 1C, Except Part for NRD, Palmtag's Subdivision; that part of Tax Lot F1A and Part of Tax Lot J southwesterly of NRD taking; and Tax Lot F1B and Part of Tax Lot H; all located in the Southwest ¼ of Section 11, T13N, R13E of the 6th P.M., Sarpy County, NE, from BNH to ML for the purpose of industrial development. Applicant: Zapo, LLC. General location: Fort Crook Rd. S. and Fairview Rd. Case #: Z-2109-15. APPROVAL based upon conformance with the Zoning Ordinance and Comprehensive Plan as well as a lack of perceived negative impact on the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 7, 2021.**

PUBLIC HEARING was held on a request to rezone Lots 1 and 2, Marchio's Subdivision Replat 1, being a replat of Lot 1, Marchio's Subdivision, from RE to RS-120 for the purpose of single-family residential development; and small subdivision plat of Lots 1 and 2, Marchio's Subdivision Replat 1. Applicant: Sebastian Enzolera. General location: 421 Bellevue Blvd N. Case #'s: Z-2109-16 and S-2109-22.

Ritz asked staff for an update. Palm stated a letter was received from Kenneth and Edith German stating concerns regarding sewer and parking. Palm stated she verified with the Waste Water operations manager that there is sewer available in this area. She stated the property is just over an acre with frontage on Bellevue Boulevard. Palm stated there is a mix of zoning along Bellevue Boulevard and some of the lots are non-conforming based on their age. She stated the request for RS-120 is in conformance with the Comprehensive Plan. Palm stated the purpose of the application is to allow the parents of the applicant to build a house on the newly created lot.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Discussion ensued regarding the use of a pump being a viable addition to the sewer connection and

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parking and or a driveway along the Boulevard.

Ackley asked if an existing shed would meet setbacks for the new lot line. Palm stated the accessory structure would meet the required five foot setback.

MOTION was made by Aerni, seconded by Casey to recommend APPROVAL of a request to rezone Lots 1 and 2, Marchio's Subdivision Replat 1, being a replat of Lot 1, Marchio's Subdivision, from RE to RS-120 for the purpose of single-family residential development; and small subdivision plat of Lots 1 and 2, Marchio's Subdivision Replat 1. Applicant: Sebastian Enzolera. General location: 421 Bellevue Blvd N. Case #'s: Z-2109-16 and S-2109-22. APPROVAL based upon conformance with the Zoning Ordinance, Subdivision Regulation, and Comprehensive Plan as well as a lack of perceived negative impact on the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 7, 2021.**

PUBLIC HEARING was held on a request to rezone Lot 1, Fort Crook Addition, from BG to ML for the purpose of outdoor storage. Applicant: Aksarben Fence and Gate, Inc. General Location: 12809 South 9th Street. Case #'s: Z-2109-13.

Ritz asked staff for an update. Palm stated this property is vacant and the applicant is requesting a light industrial zone from its current commercial zone for the purpose of outdoor storage. Palm stated the applicant purchased the property and soon after was given notice by Code Enforcement that outdoor storage was not allowed. Palm said the applicant does want to construct a building on the property at a later date but the BG (General Business) zoning does not allow for outdoor storage of product or heavy equipment. She stated the applicant's intended use of the property would require the ML (Light Manufacturing) zone. Palm said staff is recommending denial for a number of reasons. She said the Fort Crook Road Plan identifies this area as an office/commercial area. Palm stated across the road is StratCom Headquarters, which is a \$1.3 billion investment. She said the goal for this area is to have it redeveloped based on the commitment Offutt AFB has made. Palm said the City of Bellevue has a Public Works shop immediately to the south of this property which is also zoned BG. She said in the city's current CIP (Capital Improvement Plan) the city budgeted to build a centralized Public Works facility. Once that new shop is built, the current shop will be abandoned, and the property will hopefully be redeveloped.

Martin Pelster, 2120 S. 72<sup>nd</sup> Street, Suite 1200, Omaha, NE, was present on behalf of the applicant. Pelster stated Aksarben Fence is growing and looking for more property to be able to expand their business. He stated when the property was purchased Mr. Malloy was unaware the property was not zoned for his intended use. Pelster stated after Aksarben purchased the property a fence was installed and he started to store product, which prompted the letter from Code Enforcement. He stated within a year or so the intent is to construct a building on the site for an office and a shop area. Pelster said approximately ten years ago the property was zoned ML.

Gregg Henrickson, 12818 S. 9<sup>th</sup> Street, Bellevue, NE, asked what his property is zoned. Palm stated Mr. Henrickson's property was zoned BG and if the home was destroyed by more than 60% fair market value it could not be rebuilt unless it was rezoned for residential use.

There was no one else present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

Ackley asked if an application to rezone the old Rumor's property to ML was denied or was there no application. Palm stated her recollection was it was denied. She stated ten or eleven years ago, the area was rezoned to BG. Ackley asked if staff's denial recommendation is consistent with previous applications in the area with the hope of getting more of a general business atmosphere. Palm stated that is correct and the Future Land Use Map shows this area as general business to align with the Fort Crook Plan. Ackley asked if the city shop was in conformance. Palm stated the city shop would be considered legal non-conforming so once the city vacates that property the current use would be discontinued.

Ackley asked the applicant if a building were constructed on the site would he still need the outdoor storage. Robert Malloy, 1803 Meadowlark Lane, Bellevue, NE, stated that was correct; the new building would be used for office space, and a shop area, with outdoor storage. Ackley asked if the business could support everything being indoors. Malloy stated he could not unless a building the size of the entire lot was built. He stated there has been no interest in this area since the rezoning and if

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the city were to sell the city shop area, would all the buildings be demolished and a type of general business be allowed there. Palm stated yes under the current zoning that would be allowed. Discussion ensued regarding when the area was rezoned and the type of business the city is hoping to attract in that area.

Hankins asked if the Fort Crook Road Redevelopment Plan had been changed at all since the pandemic. He said it recommends office and technology buildings. Palm stated the city has contracted with HDR to update the plan but did not anticipate the area to change to light industrial or an industrial area. Palm stated there are still businesses that are thriving despite the pandemic such as gas stations, coffee kiosks, etc. which would fall in line with the current zoning.

Ritz asked if the area was within the severe noise from Offutt AFB. Palm stated it was in the sixty-five dB range, which is not the most restrictive noise contour.

Ritz initiated discussion regarding Aksarben's access gate being on the city's private drive. Malloy stated he had spoken to the supervisor of the maintenance shop and was told it was ok to have the gate there. Palm stated the access gate is on a private easement and the city is requesting the access be removed.

Aerni stated he agreed the Fort Crook Road Plan is incorrect concerning offices and technology buildings but could see gas stations and those types of commercial businesses. He said the existing businesses in the area are similar to what the applicant is requesting. Palm stated revitalization needed to start somewhere. She stated the existing BG zoning are the types of uses that would be desirable there. She said industrial zoning would open it up to many different types of uses the city would not have control of.

Ackley stated an article in the newspaper has indicated the possibility of horseracing and a casino coming into that area, which would potentially spur redevelopment. Palm stated she could not speak to that specific development.

Cutsforth stated the task is to look to the future for the city, and with the Fort Crook Road Development Plan update comes a vision and general guidance of what the city hopes the development along that corridor becomes. Cutsforth said she would not be in favor of approving a zoning that is not in keeping with the city's redevelopment goal.

Ritz asked staff if there were conditional uses in the BG zone that would allow for the type of use requested. Palm stated there were not. Aerni asked staff if the city would entertain a special use permit. Palm stated the city does not have any special use permit options in the zoning ordinance.

MOTION was made by Ackley, seconded by Cutsforth to recommend DENIAL of a request to rezone Lot 1, Fort Crook Addition, from BG to ML for the purpose of outdoor storage. Applicant: Aksarben Fence and Gate, Inc. General Location: 12809 South 9th Street. Case #'s: Z-2109-13. DENIAL based upon lack of conformance with the Fort Crook Road Redevelopment Plan and Comprehensive Plan. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 7, 2021.**

PUBLIC HEARING was held on a request to rezone the North ½ of the East 35.2' of Lot 2, and the North ½ of Lot 3, Tiller's Hillcrest Addition, from RS-84 to RD-60 for the purpose of duplex residential. Applicant: B J Justice. General location: 210 Galvin Road North. Case #: Z-2109-14.

Ritz asked staff for an update. Palm stated Mr. Justice previously rezoned his residence from BG (General Business) to RS-84 (Single-Family Residential – 8,400 Square foot Zone) for the purpose of bringing it into conformance with the Zoning Ordinance. She stated Mr. Justice wants to rent out a portion of the structure so his current request for RD-60 (Duplex Residential – 6,000 Square Foot Zone) is an appropriate zone. Palm stated staff is recommending approval. Palm said the Future Land Use Map shows this area as commercial but this rezoning does not impact that.

BJ Justice, 210 Galvin Road North, Bellevue, NE, stated his grandson is living in the upstairs of his home and he wants to conform to the zoning regulations. He stated at times they may want to rent this portion of his home and does not want to have a problem with doing so.

There was no one present to speak in favor of, or opposition to this request. Subsequently, Ritz closed the public hearing.

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Hankins stated he saw the house is up for sale for \$325,000 dollars. Justice stated it was not his intention to sell but his granddaughter is a real estate agent and she wanted to try to sell it. He said obviously it would not sell for that amount.

Ackley asked staff with this rezoning could a second structure be constructed on this lot. Palm stated RD-60 allows for two-family dwellings whether attached or detached so if the current structure it set up for two families then that is all there can be on that lot. Ackley asked if a family member is living in the duplex are there any other restrictions. Palm stated a family member would be allowed to live there with the applicant and meet the definition of "single family dwelling." Under that scenario, the property owner could create another structure. If the existing structure were set up for a two-family dwelling another residential structure would not be allowed on the property. Discussion ensued regarding an additional structure on the lot.

MOTION was made by Ackley, seconded by Aerni to recommend APPROVAL of a request to rezone the North ½ of the East 35.2' of Lot 2, and the North ½ of Lot 3, Tiller's Hillcrest Addition, from RS-84 to RD-60 for the purpose of duplex residential. Applicant: B J Justice. General location: 210 Galvin Road North. Case #: Z-2109-14. APPROVAL based upon conformance with Zoning Ordinance and a lack of perceived negative impact on the surrounding area. Upon roll call, all present voted yes. MOTION carried unanimously.

**This item will proceed to City Council for PUBLIC HEARING ON December 7, 2021.**

There was discussion regarding the election of officers.

MOTION was made by Ackley, seconded by Hankins, to NOMINATE Sue Cutsforth to serve as Planning Commission Chair. Upon roll call, all present voted yes. MOTION carried unanimously.

MOTION was made by Ackley, seconded by Cutsforth, to NOMINATE Todd Aerni to serve as Vice Chair. Upon roll call, all present voted yes. MOTION carried unanimously.

Meeting adjourned at 8:23 p.m.



Dianna Van Horn  
Planning Secretary

**CITY OF BELLEVUE  
PLANNING DEPARTMENT**

**RECOMMENDATION REPORT # 1**

**CASE NUMBERS:** Z-2110-18  
S-2110-23

**FOR HEARING OF:**  
**REPORT #1:** November 18, 2021

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Eric Carlson  
14909 Grover Street  
Omaha, NE 68144

**B. PROPERTY OWNER:**

Melissa L. Jarecke  
5007 Platteview Road  
Papillion, NE 68133

**C. GENERAL LOCATION:**

5007 Platteview Road

**D. LEGAL DESCRIPTION:**

Lots 1 and 2, Walnut Grove Estates Replat 1, being a replat of Lot 2, Walnut Grove Estates, located in the Southeast ¼ of Section 18, T13N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

**E. REQUESTED ACTIONS:**

1. Rezone Lots 1 and 2, Walnut Grove Estates Replat 1, from AG to RA
2. Small subdivision plat Lots 1 and 2, Walnut Grove Estates Replat 1

**F. EXISTING ZONING AND LAND USE:**

AG, Single Family Residential

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a change of zone and small subdivision plat to create an additional single family residential acreage lot.

**H. SIZE OF SITE:**

The site is approximately 21 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

Proposed Lot 1 is developed with a single family residence and accessory structures.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

**C. North:** Agriculture/Single Family Residential, AG

**D. East:** Agriculture/Vacant, AG

**E. South:** Platteview Golf Club, AG

**F. West:** Agriculture/Single Family Residential, AG

**G. REVELANT CASE HISTORY:**

There have been no recent requests to rezone or replat this property.

**H. APPLICABLE REGULATIONS:**

1. Section 5.06, Zoning Ordinance, regarding RA uses and requirements.
2. Chapter 5, Subdivision Regulations, regarding Small Subdivisions.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this area as agriculture.

**B. OTHER PLANS:**

None

**C. TRAFFIC AND ACCESS:**

1. Per the MAPA Traffic Flow Data, there are approximately 4,800 cars per day west of the intersection of 36<sup>th</sup> Street and Platteview Raod.
2. Access is from an existing private drive off Platteview Road. An existing ingress/egress easement will serve both lots.

**D. UTILITES:**

This property utilizes a private well and septic system.

**E. ANALYSIS:**

1. Eric Carlson has submitted a request to small subdivision plat Lots 1 and 2, Walnut Grove Estates Replat 1. In conjunction with the plat, the applicant is requesting a change of zone from AG to RA.
2. The Residential Agriculture (RA) District is intended for an area that is in the process of transitioning agriculture to more urban uses. The district is established for the purpose of preserving agricultural land and resources, during the transitional period, that are compatible with eventual urban growth and development.

The minimum lot size in the RA zone is 5 acres. Each of the proposed lots meets this requirement.

3. There is an existing single family residence and outbuildings on proposed Lot 1. A family member of the owner intends to build a single family residence on proposed Lot 2.

A bird coop shown on the as-built plot plan will be removed prior to the filing of the plat.

4. This application was sent out to the following departments/individuals for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works Department, and the Springfield Platteview School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Matt Knight, Public Works Engineer, requested technical revisions to the plat. The applicant's engineer has satisfied this request.

No other comments were received on this case.

5. The Future Land Use Map of the Comprehensive Plan shows this area as agriculture.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance and Subdivision Regulations, as well as lack of perceived negative impact upon the surrounding area.

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

1. Vicinity map/Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from Melissa Jarecke received October 19, 2021
4. Small Subdivision Plat received November 9, 2021
5. As-built plot plan received October 15, 2021

**VII. COPIES OF REPORT TO:**

1. Eric Carlson
2. Ehrhart Griffin and Associates
3. Melissa Jarecke
4. Public Upon Request



Prepared by:

 11/10/21

Planning Manager

Date of Report



SARPY COUNTY  
NEBRASKA

5007 Platteview Road



Sarpy County, Nebraska | Esri, Inc., City of Naperville, Illinois | Esri, Inc., Sarpy County, Nebraska



Map Scale 1: 4514

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes





SARPY COUNTY  
NEBRASKA

5007 Platteview Road



Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska



Map Scale 1: 4514

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes



To the Planning and Zoning Departments  
City of Bellevue

We are requesting to keep the RA zoning on my property at 5007 Platteview Rd. Papillion, NE 68133.

I have lived and owned the property at 5007 Platteview Rd for 44 years. We raised many chickens and a few head of cattle on our property over the years. We even raised pheasants and quail for release to increase their population in the area. We would like to be able to continue those practices. We have over 20 acres. My daughter and her husband are interested in building a home on the property. They will separate 5 acres off my lot to build a new home for their family. They want to live near me not only because they love the land and it is "home" but also to be near me as I get older and may need help. If it is true when they tell us food shortages are to be expected, we also want to be part of the solution by growing vegetable, fruits and meat for ourselves and others.

Thanking you in advance,

*Melissa Jarecke*

Melissa Jarecke

RECEIVED  
OCT 19 2021  
PLANNING DEPT.



NO.	DESCRIPTION	DATE	BY

**EHRHART GRIFFIN & ASSOCIATES**

3552 Farnam Street  
Omaha, Nebraska 68131  
402 / 551-0631

- ENGINEERING
- PLANNING
- LAND SURVEYING

**5007 PLATTEVIEW ROAD  
SITE CONDITIONS PLAN**  
PROPOSED - WALNUT GROVE ESTATES REPLAT  
PAPILLION, NEBRASKA

DATE: 10/14/2021  
DESIGNED BY:  
DRAWN BY: SRB  
CHECKED BY:  
CREW:

SHEET NO.  
1 OF 1

**RECEIVED**  
**OCT 15 2021**  
**PLANNING DEPT.**



**LEGAL DESCRIPTION**  
(PROPOSED) --- WALNUT GROVE RE-PLAT 1, A SUBDIVISION CONTAINING LOTS 1 AND 2, AND BEING A REPLAT OF PART OF LOT 2, WALNUT GROVE ESTATES, SARDY COUNTY, NEBRASKA, BEING SURVEYED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, WALNUT GROVE ESTATES; THENCE S67°08'17\"/>

**SURVEYOR'S CERTIFICATION:**  
I HEREBY CERTIFY THAT THIS PLAN, MAP, SURVEY, OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

Date: 7/15/2021

Shane Baker



THERE IS NO REQUEST FOR RIGHT-OF-WAY DEDICATION WITH THIS PLAN.  
THERE IS NO REQUEST FOR RIGHT-OF-WAY VACATION WITH THIS PLAN.



- LEGEND:**
- P - PLAT DISTANCE
  - A - ACTUAL DISTANCE
  - B - RECORDING DISTANCE
  - C - CALCULATED DISTANCE
  - D - NEED DISTANCE
  - OP - CORNER DISTANCES IN BOOK 155 PAGE 773 APPEAR TO BE IN ERROR AND ARE IN CONFLICT WITH SURVEYS AND PLATS OF RECORD
  - - TRUSS SURVEY POINT
  - ◊ - SET SURVEY POINT (6/8\"/>

PT. SW1/4 SE1/4 18-13-13

SE1/4 SE1/4 18-13-13  
T.L. 2



City of Bellevue  
Planning Department  
1510 Wall Street • Bellevue, Nebraska 68005  
(402) 293-3026

3.b.

## MEMORANDUM

TO: Planning Commission  
FROM: Tammi Palm, Planning Manager  
DATE: November 12, 2021  
RE: Proposed Redevelopment Plan for Jefferson Place

Attached for your review and recommendation is the Redevelopment Plan for the Jefferson Place redevelopment project. This plan proposes the redevelopment of the vacant property of Lots 1 through 6, and part of Lots 7 through 11A, Lots 11B and 12, Block 170, Bellevue; Lots 1 through 12, Block 171, Bellevue; vacated 17<sup>th</sup> Avenue between Jefferson Street and Franklin Street; and the adjacent rights-of-way of West 16<sup>th</sup> Avenue, Harvell Drive, Franklin Street, West 18<sup>th</sup> Avenue, and Jefferson Street. This area was previously designated as blighted and substandard by Resolution 2021-38, which was approved by the City Council on October 19, 2021. Approval of the Redevelopment Plan is the next step in the redevelopment process.

The site is approximately 86,160 square feet in size and consists of several non-conforming, residential lots located south of West 16<sup>th</sup> Avenue, along Harvell Drive. The lots are undeveloped. The property lacks improvements and has been vacant for many years.

The applicant is proposing redevelopment of the property by rezoning and replatting the existing lots to be developed into ten residential dwelling units. The development will consist of two four-plex residential structures, along with one duplex residential structure. Each unit will be approximately 2,750 square feet (1,400 square feet on the main level, and 1,350 square feet on the lower level) in addition to a garage.

The applicant anticipates approximately \$536,000 will be necessary for civil site improvements, to include public utility relocation and infrastructure improvements.

The applicant is estimating the property's valuation to be \$3,150,000 upon completion. The Redevelopment Plan states there is approximately \$860,000 of Tax Increment Financing (TIF) eligible redevelopment costs associated with the project. The applicant is

proposing the use of TIF to fund \$750,000 of the expenses. The breakdown of costs and data supporting the payback of TIF expenditures is attached to the Redevelopment Plan for your review.

The Planning Department believes this project will be a benefit to the city through the improvement of a blighted and substandard area that has remained vacant and underutilized.

The Redevelopment Plan meets the requirements of Section 18-2111 of Nebraska State Statutes with respect to required plan contents. As required by Nebraska State Statutes, the Planning Department advertised the public hearing on this application twice in local publications and sent notification to the governing bodies of Sarpy County, the Papio-Missouri River NRD, Metropolitan Community College, ESU #3, and the Bellevue Public School District.

PLANNING DEPARTMENT RECOMMENDATION:

The Planning Department recommends approval of the Jefferson Place Redevelopment Plan based on the elimination of a blighted and substandard area, conformance with the requirements of the State Statutes, and the opportunity for infill development near the Olde Towne district.

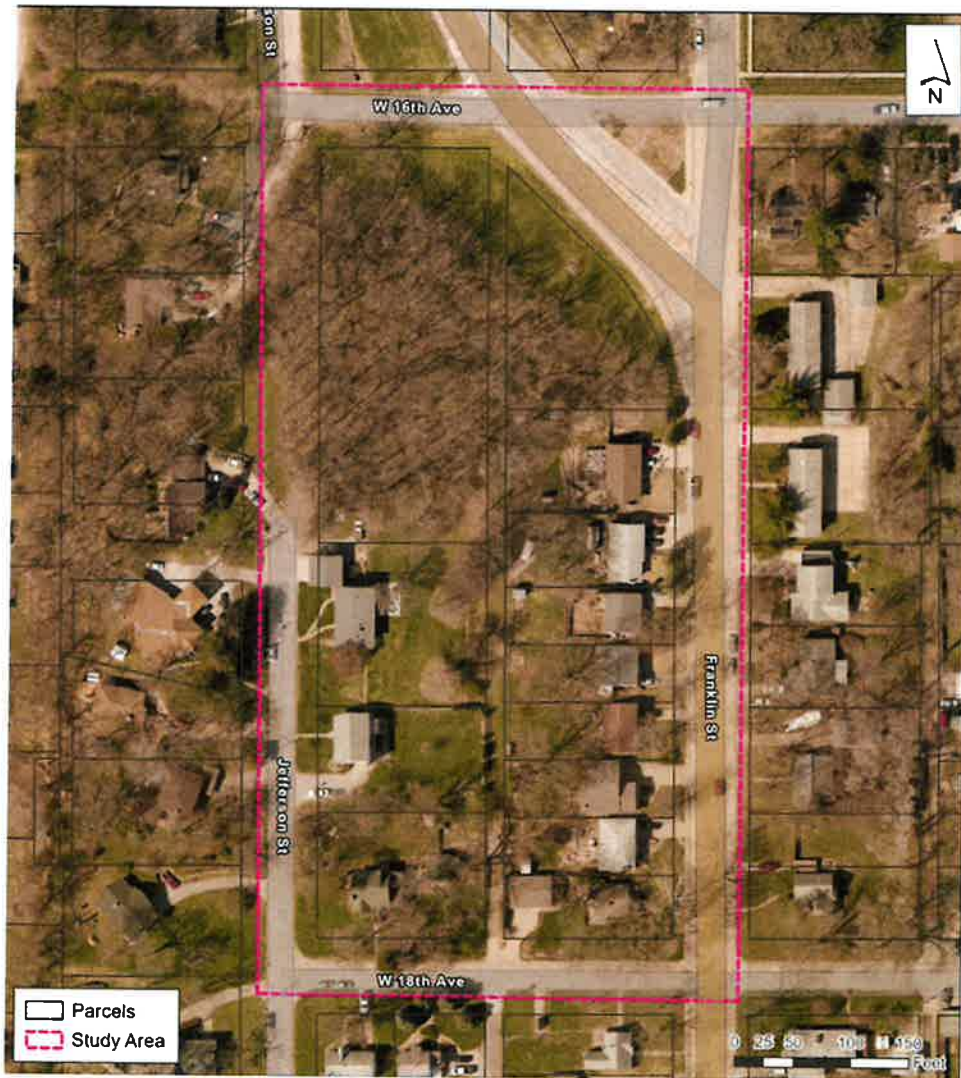
**REDEVELOPMENT PLAN FOR THE  
JEFFERSON PLACE REDEVELOPMENT PROJECT  
IN THE CITY OF BELLEVUE, NEBRASKA**

**Introduction**

This Redevelopment Plan identifies a certain redevelopment area in the City as legally described as follows:

Lots 1-6, and Part of Lots 7-11A, Lots 11B and 12, Block 170; Lots 1 -12, Block 171, Bellevue; vacated 17<sup>th</sup> Avenue between Jefferson Street and Franklin Street; and the adjacent rights-of-way of West 16<sup>th</sup> Avenue, Harvell Drive, Franklin Street, West 18<sup>th</sup> Avenue, and Jefferson Street

(the “Redevelopment Area”). The Redevelopment Area is depicted below:



The Jefferson Place Blight and Substandard Study was prepared in August, 2021 by JEO Consulting Group, Inc. The Redevelopment Area was declared blighted and

substandard by the City Council on October 19, 2021.

The purpose of this Redevelopment Plan is to identify specific property within the Redevelopment Area that is in need of redevelopment to cause the removal of blight and substandard conditions in the Redevelopment Area. This Redevelopment Plan serves as the guide for the implementation of redevelopment activities on the Project Site, as defined herein.

### The Jefferson Place Project Site

The Project Site is hereby defined as the following property, which is located in the Redevelopment Area:

Lots 1, 2, 3, 4, 5, 6, and parts of Lots 7, 8, 9, 10 and 11A lying South and West of Harvell Drive, in Block 170, in the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska, together with vacated portions of alleys and streets abutting thereon, EXCEPTING therefrom, the South 20 feet of Lot 11, Block 170, in the City of Bellevue, as surveyed, platted and recorded in Sarpy County, Nebraska, together with the vacated portions of Franklin Street abutting thereon, as described in the Quit Claim Deed in Book 132 at Page 133 filed July 12, 1967.

(the "Project Site"). The Project Site shall also include all rights of way adjacent to the Project Site. The lots comprising the Project Site (together with all adjacent public rights of way) are depicted below:



The Project Site located within the Redevelopment Area has been declared blighted and substandard. The Project Site is in need of redevelopment. The Community Development Agency of the City of Bellevue (“CDA”) has considered whether redevelopment of the Project Site will conform to the general plan and the coordinated, adjusted, and harmonious development of the City and its environs. The Project Site is currently vacant and is not served by public infrastructure adequately designed to support the proposed redevelopment project. The Project Site will require, among other things, the relocation of utilities and other improvements for development to be feasible. In this consideration, the CDA finds that such a redevelopment of the Project Site will promote the health, safety, morals, order, convenience, prosperity, and the general welfare of the community including, among other things, the promotion of safety from fire, the promotion of the healthful and convenient distribution of population, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary and unsafe dwelling accommodations or conditions of blight. The blighted condition of the Project Site and the Redevelopment Area has contributed to its inability to attract businesses and/or development. In order to support private development, the Project Site and the Redevelopment Area are in need of renovation and redevelopment.

### **Description of the Jefferson Place Project**

The project under consideration will consist of the construction of approximately 10 residential dwelling units and associated improvements on the Project Site (the “Project”).

Mercury Property Management, Inc., a Nebraska corporation (the “Redeveloper”), has submitted a proposal for the Project and the redevelopment of the Project Site. The redevelopment of the Project Site pursuant to this Redevelopment Plan will eliminate the current blight and substandard conditions of the Project Site and will further the purposes of the Act in conformity with the Redevelopment Plan.

As part of the Project, the CDA shall capture available tax increment from the Project Site to assist in payment for the public improvements listed as eligible expenditures under the Act in the Redevelopment Area. Such public improvements may include, but are not limited to: land acquisition, site preparation, utility infrastructure relocation and improvements, streetscape improvements, landscaping, architectural, engineering, and legal fees, landscaping, façade enhancements, and other improvements deemed feasible and necessary in support of the public health, safety, and welfare which qualify as eligible expenditures for public improvements under the Act. Redeveloper shall be responsible for all other costs and expenses associated with the Project.

Preliminary site plans for the Project are attached hereto as Exhibit “A” and incorporated herein by this reference. The CDA acknowledges that these plans are preliminary in nature and subject to change, but has included the current information submitted by Redeveloper.

### **Tax Increment Financing**

The CDA contemplates the use of TIF for the Project. Section 18-2147 of the Act

authorizes the use of TIF. It provides that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the effective date as identified in the redevelopment contract, or amendment thereof, or in the resolution(s) of the authority authorizing the issuance of TIF Indebtedness pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body (“Base Tax Amount”); and
- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond resolution, in the redevelopment project in excess of the Base Tax Amount, if any, shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Project, the actual base tax year and Base Tax Amount for the Project Site will be set forth in the redevelopment agreement. The division of taxes for the Project Site may be effectuated in phases. Notwithstanding any provision herein to the contrary, all incremental tax revenues resulting from each lot in the Project Site shall only be divided and allocated for no more than the applicable 15-year increment period provided by the Act.

The 2021 assessed value is of the Project Site is \$800. Based upon a final valuation of \$315,000 per unit, the projected completed valuation of the Project is \$3,150,000. The CDA does not make any representations to the final value of any Project, but has relied upon the Redeveloper’s estimate of the final valuation of the Project.

Based upon the anticipated completed valuation of \$3,150,000 and an anticipated 5.0% interest rate for the TIF Note, the Project will yield TIF Indebtedness in the amount of approximately \$750,000. Redeveloper anticipates that the total Project costs shall be approximately \$4,000,000. Redeveloper has identified approximately \$860,000 in estimated TIF-eligible expenditures. The estimated TIF uses is set forth below:

Site Acquisition	\$ 100,000
Civil Site Work	\$ 536,048
Professional Fees (Architect, Engineer, Survey)	\$ 100,000
Electrical Service	\$ 14,000
Water & Gas Service	\$ 100,000
Attorney Fees	\$ 10,000
<b>Total</b>	<b>\$ 860,048</b>

The Civil Site Work estimate is further described on the attached Exhibit "B". These TIF eligible improvements will get the Project Site into a condition that will allow for the development of the Project. The Project will include substantial costs in addition to the costs set forth above, including the development of each lot and the construction of the dwelling units on the Project Site, but such improvements cannot be undertaken without the TIF-eligible improvements to the Project Site.

### **Statutory Elements**

As described above, the Project envisions the capture of the incremental taxes created by the Project on the Project Site to pay for those eligible expenditures as set forth in the Act. A consideration of the statutory elements under the Nebraska Community Development Law is set forth in this section.

A. Property Acquisition, Demolition and Disposal

No public acquisition of private property, relocation of families or businesses, or the sale of property is necessary to accomplish the Project. Redeveloper owns the Project Site.

B. Population Density

The proposed Project on the Project Site is a residential project, involving the construction of ten (10) dwelling units on the Project Site. The maximum population increase from the Project is ten (10) families. The Project will not significantly affect population density in the project area.

C. Land Coverage

The Project will consist of the construction of ten (10) dwelling units on the Project Site. The units are approximately each 2,750 square feet (1,400 sf main level, 1,350 sf lower level) plus garage. The Project will meet the applicable land-coverage ratios and zoning requirements as required by the City of Bellevue. Redeveloper shall be required to obtain all building permits and zoning approval for the Project.

D. Traffic Flow, Street Layouts, and Street Grades

No adverse impacts are anticipated with respect to traffic flow, street layouts, and street grades. The blight study for the area identified the vehicular circulation challenges on this site. The Project is being designed to provide access to the units from the existing street infrastructure based upon the current blighted and substandard conditions.

E. Parking

Redeveloper shall be responsible for obtaining any permits and meeting all zoning requirements. The dwelling units will all have garages.

F. Zoning, Building Code, and Ordinances

The Project Site is currently zoned in the RD-60-OTO zoning district. Redeveloper intends to apply for a rezoning of the Project Site from RD-60-OTO to RD-28-PS. The Project would be a permitted use in the RD-28 zoning district. No additional zoning, building code, or ordinance changes will be necessary for the Project. Redeveloper shall be responsible for any subdivision and replatting of the Project Site necessary for the Project.

### Cost-Benefit Analysis

Pursuant to Section 18-2113 of the Act, the CDA must conduct a cost-benefit analysis for any redevelopment project that will utilize TIF. The Cost-Benefit Analysis for the Project is attached hereto as Exhibit "C" and incorporated by this reference.

### Comprehensive Plan

Several goals of the 2021 Bellevue Comprehensive Plan (the "Comprehensive Plan") will be furthered by this Project, including but not limited to infill residential development:

Table 3-4 indicates the future land-use demands by category. Most of the future land-use growth will take the form of single-family housing. Bellevue should expect approximately 4,133 acres of additional single-family residential land use. Bellevue is encouraged to first evaluate vacant parcels within the city limits for future land-use growth. Vacant, infill development, is attractive for growth because it falls within the city limits and is typically served by existing infrastructure and transportation networks. The preferred development concept proposes land-use functions in areas that currently fall outside Bellevue's city limits.

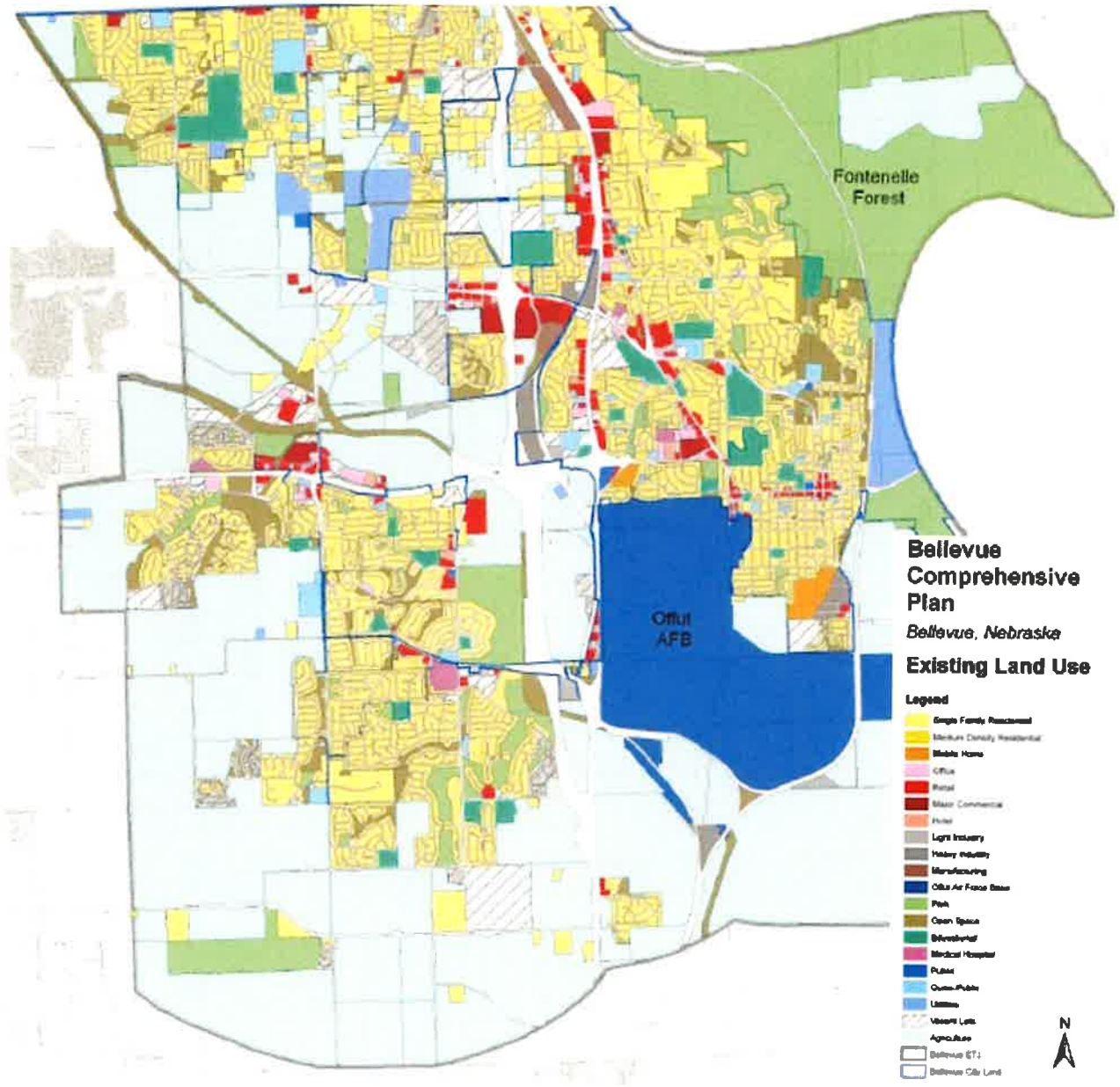
LAND-USE TYPE	EXISTING (ACRES)	NEEDED (ACRES)	TOTAL (ACRES)
Single-Family Residential	5,584	4,133	9,717
Multifamily Residential	490	362	852
Office	117	87	204
Commercial	579	429	1,008
Industrial	276	204	480
Park	2,352	1,731	4,083
Public	1,203	889	2,092
<b>TOTAL(ACRES)</b>	<b>10,601</b>	<b>7,835</b>	<b>18,436</b>

Table 3-4: Future Land Use Demand

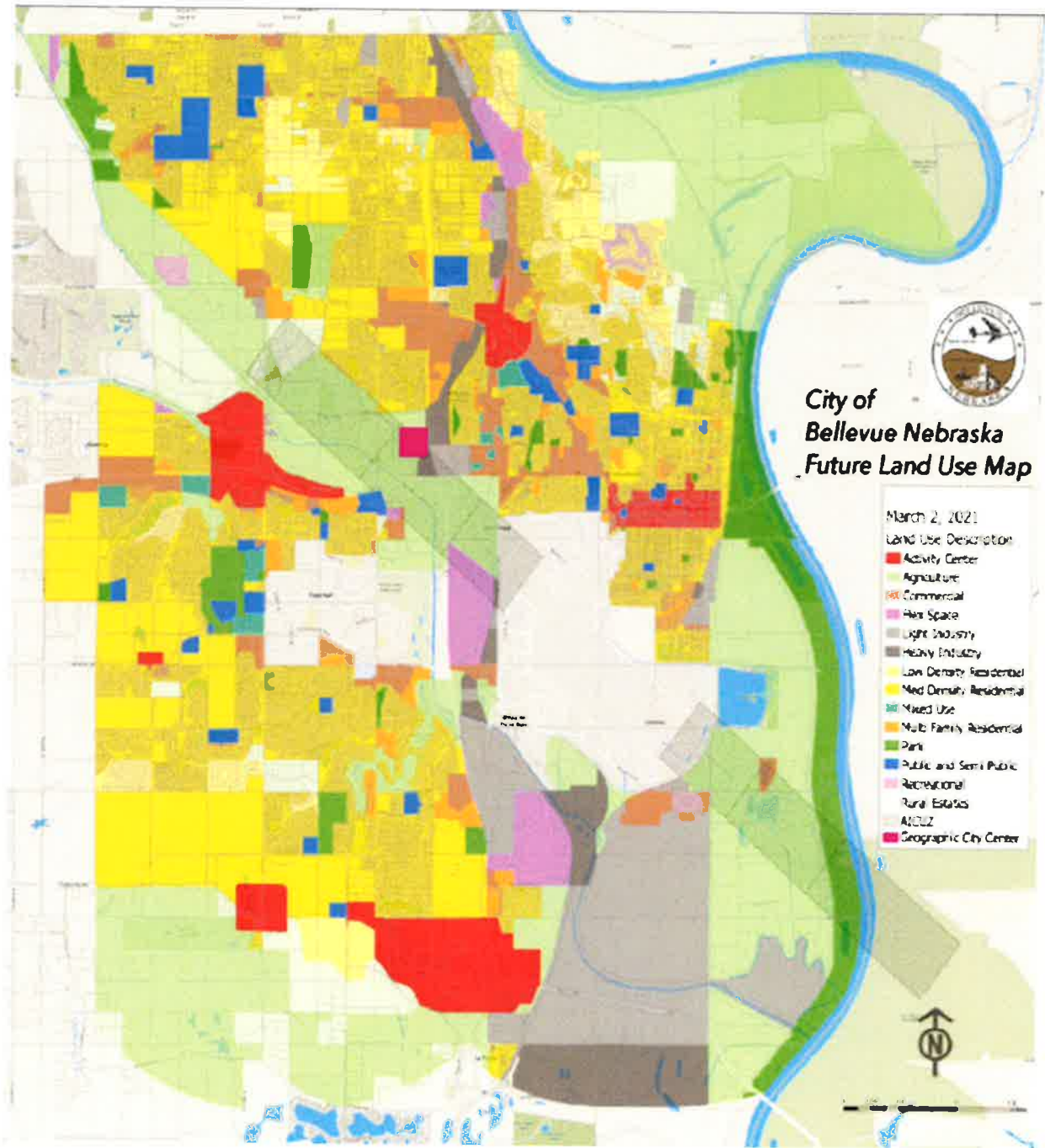
The existing land use map and future land use map from the Comprehensive Plan are included for reference in this Redevelopment Plan. The future land use of the site is designated for residential use, so the Project conforms to the future land use designation of the Project Site.

*Note: This section is not a comprehensive analysis of the Project's conformance with the Comprehensive Plan, but is meant to highlight and summarize the key points on this topic.*

### EXISTING LAND USE MAP:



**FUTURE LAND USE MAP:**



**Additional Project Information from Redeveloper**

Redeveloper has represented that without the use of TIF, this Project would not be feasible and Redeveloper could not develop this Project on the Project Site. Redeveloper has further represented that it does not intend to file an application with the Department of Revenue to receive tax incentives under the ImaginNE Act.



Preliminary site layout with utility relocation information:

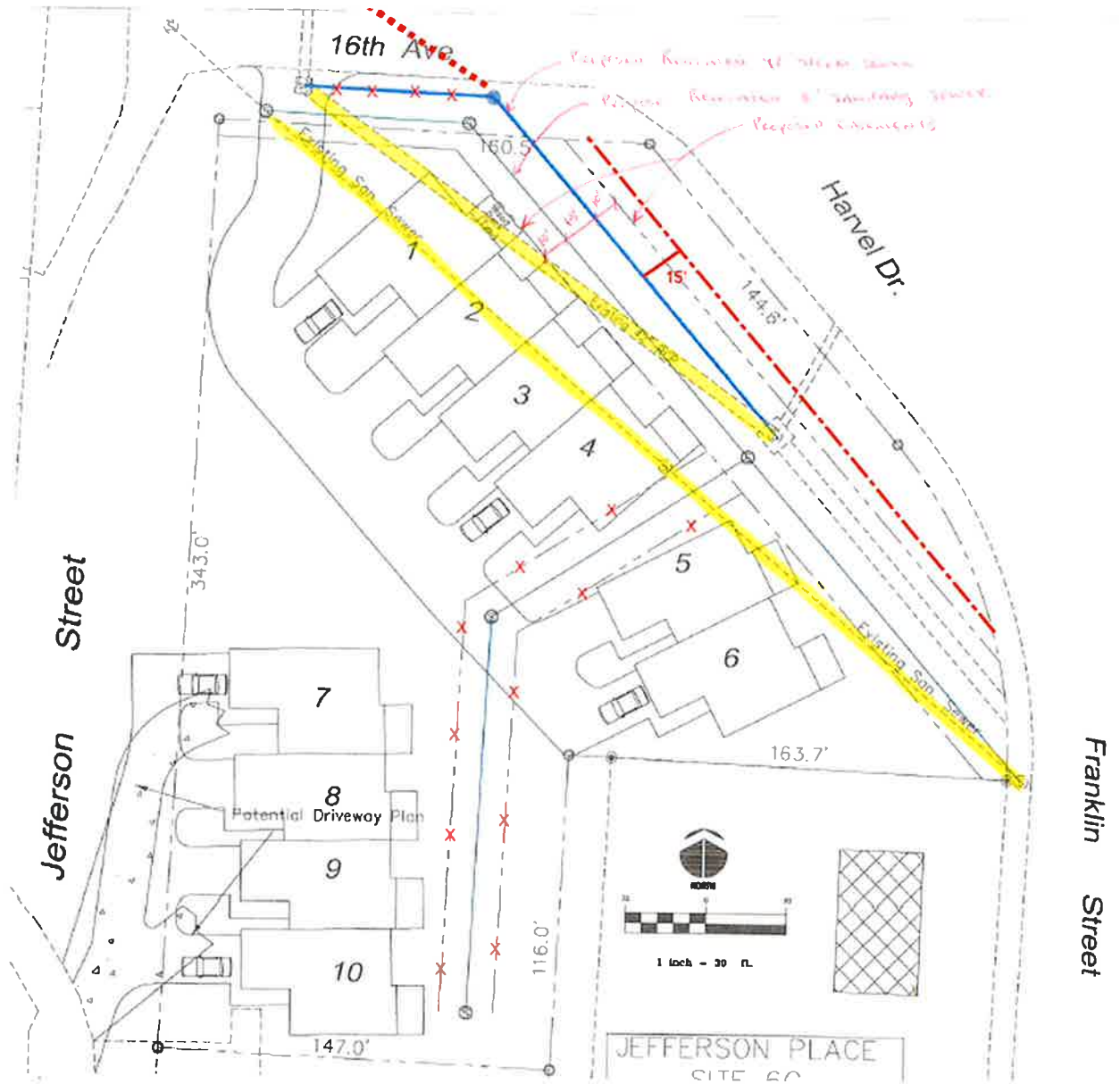


Exhibit "A"

Perspectives:



1 **PERSP 1**



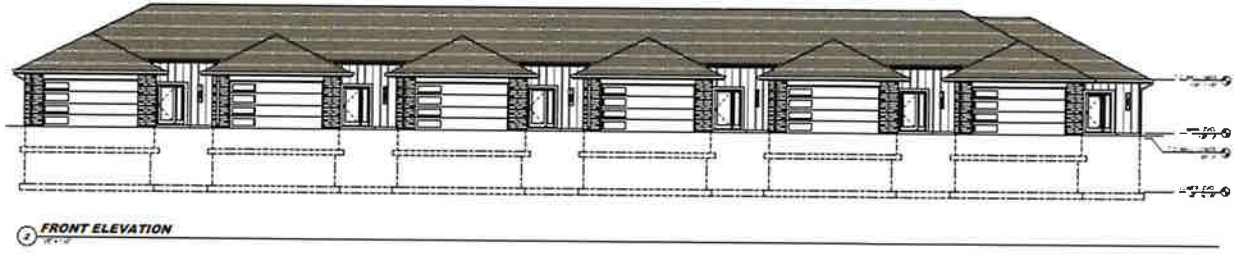
2 **PERSP 2**

**REV.**  
1  
**P**  
1/10

Elevations:



1 **REAR ELEVATION**



**EXHIBIT "B"**  
**Estimated TIF Eligible Civil Site Cost Detail**

Conceptual Civil Site Cost Estimate					
	Unit	Quantity	Item Description	Unit Price	Cost
<b>8-INCH SANITARY SEWER RELOCATION</b>					
1	LF	275	REMOVE 12" OR SMALLER SEWER PIPE	\$45	\$12,375
2	LF	100	ABANDON 12" OR SMALLER PIPE	\$27	\$2,700
3	EA	1	REMOVE MANHOLE	\$2,500	\$2,500
4	LF	393	CONSTRUCT 8" PVC SANITARY SEWER PIPE (SDR 26)	\$60	\$23,580
5	VF	30	CONSTRUCT 54" I.D. SANITARY MANOLE	\$600	\$18,000
6	EA	3	INSTALL EXTERNAL FRAME SEAL ON SANITARY SEWER MANHOLE	\$550	\$1,650
7	EA	2	CONSTRUCT CONCRETE MANHOLE RING RETAINER	\$650	\$1,300
8	EA	1	CONSTRUCT 8" SANITARY SEWER MANHOLE TAP	\$1,800	\$1,800
9	LF	393	PERFORM CCTV PIPELINE INSPECTION	\$3	\$1,081
10	LF	393	JET EXISTING SANITARY SEWER	\$3	\$1,081
<b>42-INCH STORM SEWER RELOCATION</b>					
11	LF	116	REMOVE 42" SEWER PIPE	\$100	\$11,600
12	LF	100	ABANDON 42" PIPE	\$35	\$3,500
13	EA	1	REMOVE MANHOLE	\$2,500	\$2,500
14	LF	234	CONSTRUCT 42" RCP, D(0.01) = 3,000	\$150	\$35,100
15	VF	11	CONSTRUCT 72" I.D. STORM MANHOLE	\$1,250	\$13,750
16	VF	11	CONSTRUCT 84" I.D. STORM MANHOLE	\$1,550	\$17,050
17	EA	2	CONSTRUCT CONCRETE MANHOLE RING RETAINER	\$650	\$1,300
18	EA	1	CONSTRUCT 42" STORM SEWER TAP	\$2,500	\$2,500
<b>RETAINING WALL</b>					
19	SF	1715	CONSTRUCT KEYSTONE BLOCK RETAINING WALL	\$25	\$42,875
<b>GRADING</b>					
20	LS	1	CLEAR & GRUB (note 12inch+ diam. Trees present)	\$55,000	\$55,000
21	CY	10000	CUT / FILL	\$5	\$50,000
22	LS	1	MISC. EROSION CONTROL FEATURES	\$5,000	\$5,000
<b>PAVING</b>					
23	CY	663	SUBGRADE PREPARATION	\$15	\$9,950
24	SY	1990	CONSTRUCT 7" THICK CONCRETE PAVEMENT	\$50	\$99,500
25	SF	1400	CONSTRUCT 5" THICK CONCRETE SIDEWALK	\$12	\$16,800
<b>STORM SEWER</b>					

26	LF	40	CONSTRUCT 18" RCP, CLASS III	\$75	\$3,000
27	EA	2	CONSTRUCT 18" RC, FLARED END SECTION	\$700	\$1,400
			<b>SANITARY SEWER</b>		
28	LF	263	CONSTRUCT 8" PVC SANITARY SEWER PIPE (SDR 26)	\$60	\$15,780
29	LF	256	CONSTRUCT 6" PVC SANITARY SEWER PIPE (SERVICE LINE)	\$50	\$12,800
30	VF	16	CONSTRUCT 54" I.D SANITARY MANHOLE	\$600	\$9,600
31	EA	1	CONSTRUCT CONCRETE MANHOLE RING RETAINER	\$650	\$650
32	EA	2	INSTALL EXTERNAL FRAME SEAL ON SANITARY SEWER MANHOLE	\$550	\$1,100
			<b>LANDSCAPING</b>		
33	LS	1	MISC. LANDSCAPING OF PUBLIC AREAS	\$10,000	\$10,000
34	SY	3800	INSTALL ROLLED EROSION CONTROL, TYPE I WITH SEEDING - TYPE A SEED	\$2	\$5,700
			<b>POST CONSTRUCTION STORMWATER MANAGEMENT</b>		
35	LS	1	REMOVAL AND DISPOSAL OF SILT	\$8,000	\$8,000
36	LS	1	LANDSCAPING OF PCSMP BASIN	\$10,000	\$10,000
<b>SUBTOTAL</b>					<b>\$510,521.50</b>
<b>CONTINGENCY (5%)</b>					<b>\$ 25,526.08</b>
<b>TOTAL</b>					<b>\$536,047.58</b>

All amounts are based on preliminary estimates and are subject to change.

**Exhibit "C"**  
**Cost-Benefit Analysis**  
**(Pursuant to Neb. Rev. Stat. § 18-2113)**

The cost-benefit analysis for the Jefferson Place Redevelopment Project, as described in the Redevelopment Plan to which this cost-benefit analysis is attached, is presented below. The above-referenced project will utilize Tax Increment Financing ("TIF") funds authorized by Neb. Rev. Stat. §18-2147.

**1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:**

The taxes generated by the current value of the property shall continue to be allocated between taxing jurisdictions pursuant to standard statutory requirements. Only the incremental taxes created by the Project will be captured to pay eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Project, the true tax shift of this Project is a positive shift in taxes after 15 years. However, for the purposes of illustrating the incremental taxes used for TIF, the 15-year tax shift is as follows:

a.	Redevelopment Project Valuation:	\$800
b.	Projected Completed Project Assessed Valuation:	\$3,150,000
c.	Projected Tax Increment Base:	\$3,149,200
d.	Estimated Tax Levy:	2.28431
e.	Annual Projected Tax Shift:	\$71,937

*Notes: The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2020 levy rate. There has been no accounting for incremental growth or change in the tax levy over the 15-year TIF period. The annual projected tax shift analysis presented in this section is based upon the project being completed in a single phase, but the project may be completed in multiple phases. The phasing will not change the overall aggregate tax shift for the project, just the timing.*

**2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project:**

a. Public infrastructure improvements and impacts:

No substantial effects are anticipated on the public infrastructure and community public service needs. The Project anticipates expenditures of approximately \$536,000 on civil site improvements, including public utility relocation and infrastructure improvements, which will benefit the area. No other public infrastructure improvements are anticipated to be necessary based on this Project. The City is served by OPPD for power and MUD for water. The City's wastewater treatment and sanitary sewer facilities have adequate capacity. The Project will not have a material adverse effect on any community public services.

Infill development will be beneficial for the efficient provision of community public services.

Redeveloper anticipates expenditures of approximately \$4,000,000 for the Project. It is anticipated that approximately \$750,000 of the public improvements will be financed with the proceeds of the TIF generated by the private improvements on the Project Site. The projected uses of the TIF Indebtedness, which will be refined in the Redevelopment Agreement for this Project, are set forth in the Redevelopment Plan for the Project. All expenditures financed by the TIF Indebtedness shall be eligible under the Community Redevelopment Law.

b. Local Tax impacts (in addition to impacts of tax shifts described above):

The Project will create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of tax increment financing will defer receipt of a majority of new ad valorem real property taxes generated by the Project, the Project should generate immediate tax growth through sales tax paid by the new residents of the housing units on the Project Site. Additionally, the residents will pay for City services. It is not anticipated that the Project will have any material adverse impact on such City services, but will generate revenue providing support for those services.

**3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project:**

It is not anticipated that the Project will have a material adverse impact on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project. The Project will create additional housing units in the City. This is viewed as a positive impact for employers, as additional housing is needed in the City for employees. Without an adequate housing stock, businesses are unlikely to expand or relocate to the area.

**4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the area of the redevelopment project:**

As stated in Section 3, above, the Project should have a material positive impact on private sector businesses in and around the area outside the boundaries of the redevelopment project. The Project is not anticipated to impose a burden or have a negative impact on other local area employers. In addition, the Project should also generally increase the need for services and products from existing businesses as the new residents will require typical goods and services from local businesses.

**5. Impacts on the student populations of school districts within the City:**

It is anticipated that the Project will not have a material adverse impact on the student populations of the school district within the City. The Project could result in ten (10) new families residing in the City. According to the Comprehensive Plan, the

City is anticipating 5.25% growth without net migration by 2030. The City is planning for growth, and the schools should be anticipating growth as well. Infill development does help keep resources from spreading too thin due to outward expansion of the area of the town.

**6. Other impacts determined by the agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:**

The topography of the Project Site presents a particular challenge. The Project was designed to work with the topography of the Project Site, but there may be limited alternative uses, and it is likely that any alternative use would not be feasible without TIF.

**7. Summary of Findings:**

The Project will facilitate the redevelopment of a blighted and substandard area of the City without the incurrence of significant public cost. Additionally, the Project will increase property tax revenue in the long-term. The benefits outweigh the costs of the proposed Project.

4851-4720-5111, v. 2

4851-4720-5111, v. 2

# CITY OF BELLEVUE PLANNING DEPARTMENT

## RECOMMENDATION REPORT # 1

**CASE NUMBERS:** Z-2110-21  
S-2110-26

**FOR HEARING OF:**  
**REPORT #1:** November 18, 2021

### **I. GENERAL INFORMATION**

#### **A. APPLICANT:**

Mercury Property Management, Inc.  
Attn: Jeff Gehring  
5920 S 118<sup>th</sup> Street  
Omaha, NE 68137

#### **B. PROPERTY OWNERS:**

Mercury Property Management, Inc.  
Attn: Jeff Gehring  
5920 S 118<sup>th</sup> Street  
Omaha, NE 68137

#### **C. GENERAL LOCATION:**

16<sup>th</sup> Avenue and Jefferson Street

#### **D. LEGAL DESCRIPTION:**

Lots 1 through 10, and Outlot A, Jefferson Place Addition, being a replat of Lots 1 through 6, and Part of Lots 7-11A, lying South and West of Harvell Drive, Block 170, Bellevue, together with the adjacent vacated streets, avenues, and alleys.

#### **E. REQUESTED ACTIONS:**

1. Request to rezone Lots 1 through 10, and Outlot A, Jefferson Place Addition, from RD-60 to RG-28-PS, site plan approval.
2. Small subdivision plat Lots 1 through 10 and Outlot A, Jefferson Place Addition.

**F. EXISTING ZONING AND LAND USE:**

RD-60, Vacant

**G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a change of zone and small subdivision plat to facilitate multi family residential development.

**H. SIZE OF SITE:**

The site is approximately 1.71 acres.

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

The site is presently vacant and covered in vegetation.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** Single Family Residential, RD-60-OTO
2. **East:** Single & Multi Family Residential, RD-60-OTO & RG-28-OTO
3. **South:** Single Family Residential, RD-60-OTO
4. **West:** Single Family Residential, RD-60

**C. REVELANT CASE HISTORY:**

There have been no recent requests to rezone or replat this property.

**D. APPLICABLE REGULATIONS:**

1. Section 5.13, Zoning Ordinance, regarding RG-28 uses and requirements.
2. Section 5.17, Zoning Ordinance, regarding the Planned Subdivision District.
3. Chapter 5, Subdivision Regulations, regarding Small Subdivisions.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this area as medium density residential.

**B. OTHER PLANS:**

The applicant is requesting Tax Increment Financing (TIF) for this project.

**C. TRAFFIC AND ACCESS:**

1. There is no MAPA traffic data information available for this area.
2. Access is proposed from private drives off West 16<sup>th</sup> Avenue for Units 1 through 6, and from Jefferson Street for Units 7 through 10.

**D. UTILITIES:**

All utilities are available or will be constructed to serve this development.

**E. ANALYSIS:**

1. Jeff Gehring, on behalf of Mercury Property Management, Inc., has submitted a request for a rezoning Lots 1 through 10, and Outlot A, Jefferson Place Addition, from RD-60-OTO to RG-28-PS, for the purpose of a multi family residential development.

The intent of the RG-28 district is to permit low rise, medium density development that will be compatible when located near and among lower density types of housing, including single-family and two-family on small lots.

The -PS zoning overlay allows for the construction of multiple buildings on one lot, in addition to encouraging the creative design of new living areas. With the -PS zoning overlay, site plan approval is required.

2. The proposal consists of ten dwelling units in three buildings:

- Two four-plex buildings
- One duplex

Each dwelling unit will be approximately 2,750 square feet: 1,400 square feet on the main level and 1,350 square feet on the lower level.

3. Each unit will have its own garage and driveway to accommodate parking for the development.

4. The site plan shows a 15' landscaped bufferyard along the southern property line. This bufferyard space meets the minimum landscape requirements. All required landscaping materials will be installed per Article 9, Zoning Ordinance.

5. This application was sent out to the following departments for review: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, Sarpy County Planning Director, Sarpy County Public Works, and the Bellevue Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.

Public Works Engineering Manager Dean Dunn and Michael Sharp, Sarpy County Surveyor, had technical comments regarding the small subdivision plat and site plan. The majority of these comments have since been satisfied. The applicant's surveyor needs to verify two dimensions listed on the small subdivision plat. In addition, the applicant's engineer needs to address requested revisions to the preliminary grading plan.

No other comments were received on this case.

6. This plat contains approximately 1.71 acres or 74,838 square feet. This calculates to approximately 7,484 square feet of lot area per dwelling unit. The current RD-60 density requires a minimum of 6,000 square feet of lot area per dwelling unit. The proposed density is compatible with the adjacent properties.

7. Per the guidelines set forth in Section 5.17, the applicant indicates the topography and irregular shape of the property is challenging to develop with respect to drainage, construction, and access. Thus, creating a need for the -PS zoning overlay. The applicant further states "Because of the challenging topography and lot shapes, the Planned Subdivision District will allow the Developer to group the homes in a manner that will allow for the full buildout of the property. This innovating grouping of the homes does not increase the overall density of homes that could be developed in this area under other conditions." Please refer to the attached letter from Mr. Gehring for his full justification. Staff is supportive of the applicant's requested -PS zoning overlay based on the reasons provided.

8. Access to the property is proposed from private drives off West 16<sup>th</sup> Avenue for Units 1 through 6, and from Jefferson Street for Units 7 through 10.

The city has no plans to further improve Jefferson Street due to the steep slope of the existing topography.

The applicant will need to coordinate final design of these private access points with the Public Works Department prior to building permit submittal due to the proposed construction of the drives in the rights-of-way.

9. Per Section 8.12, Units 1 through 4 and 7 through 10 will have to comply with the city's design standards. This will be addressed during the building permit process.

10. This property was previously deemed blighted and substandard. The applicant is requesting Tax Increment Financing (TIF) through a separate redevelopment plan proposal.

11. The Future Land Use Map of the Comprehensive Plan shows this area as medium density residential. This request is in conformance with the Comprehensive Plan.

**F. TECHNICAL DEFICIENCIES:**

1. The applicant's surveyor needs to verify two dimensions listed on small subdivision plat, and make the recommended revisions to their preliminary grading plan per Public Works' comments dated November 10, 2021 and November 12, 2021.

**IV. DEPARTMENT RECOMMENDATION**

APPROVAL based upon conformance with the Zoning Ordinance, Subdivision Regulations, and Comprehensive Plan, as well as lack of perceived negative impact upon the surrounding area. APPROVAL based on satisfaction of the technical deficiencies prior to City Council approval.

**V. PLANNING COMMISSION RECOMMENDATION**

Under Review

**VI. ATTACHMENTS TO REPORT**

1. Vicinity map/Zoning Map
2. 2020 GIS aerial photo of the property
3. Letter from Jeff Gehring received November 9, 2021
4. Small subdivision plat received November 12, 2021
5. Site plan received November 12, 2021

**VII. COPIES OF REPORT TO:**

1. Mercury Property Management, Inc.
2. Hill-Farrell Associates, Inc.
3. Cline, Williams, Wright, Johnson & Oldfather, LLP
4. Public Upon Request

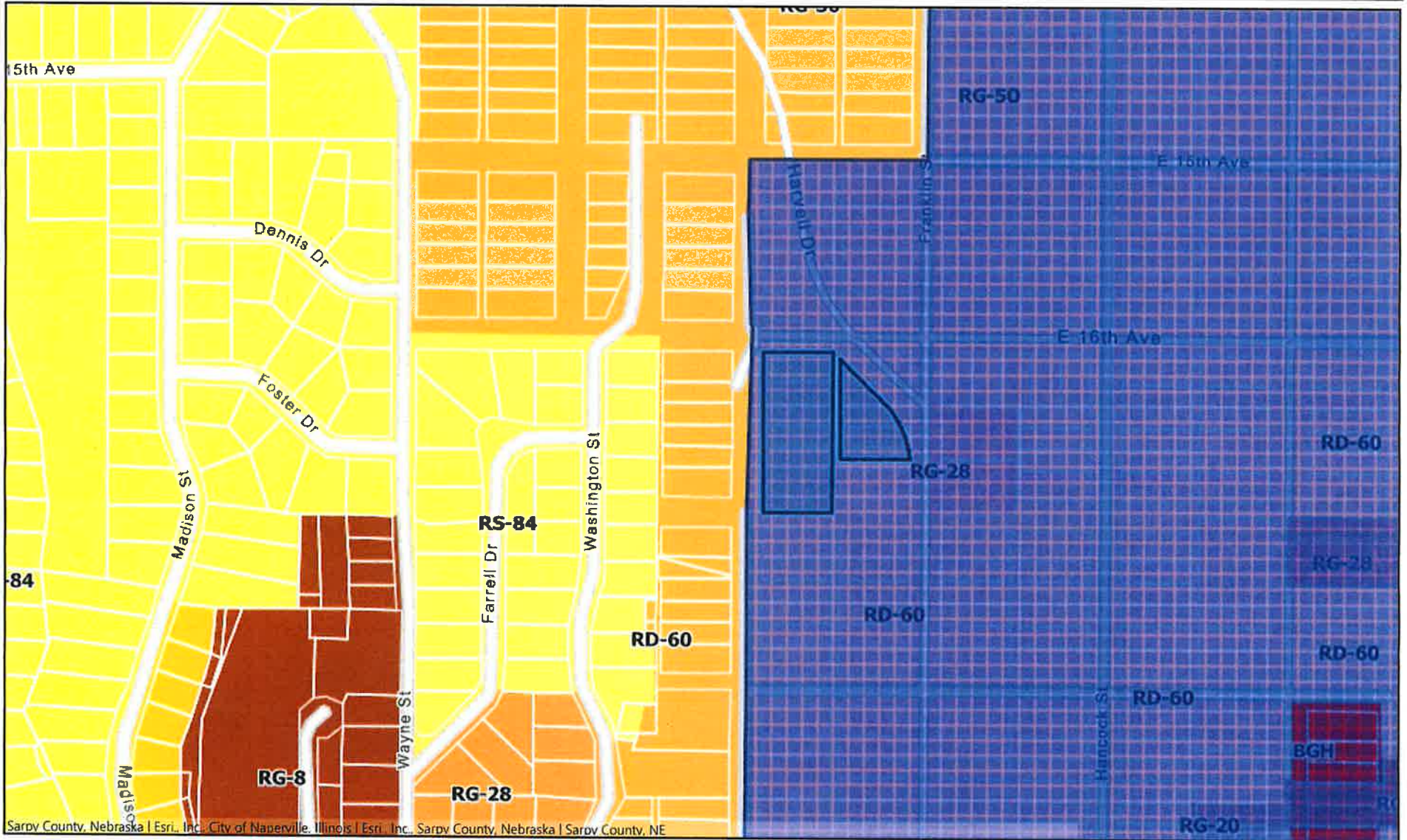


Prepared by:

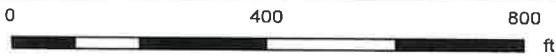


Planning Director

Date of Report



Sarpy County, Nebraska | Esri, Inc. | City of Naperville, Illinois | Esri, Inc. | Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 4514

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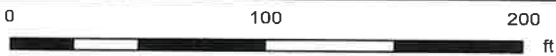


Notes



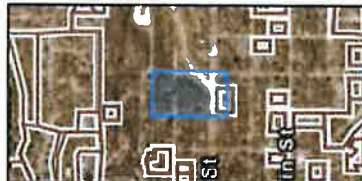


Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 1128

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Notes



RECEIVED

NOV 09 2021

PLANNING DEPT.

November 9, 2021

City of Bellevue Planning Department  
Attn: Tammi Palm  
1510 Wall Street  
Bellevue, Nebraska 68005

Re: Change of Zone application for the proposed Jefferson Place Addition located generally at 16<sup>th</sup> Avenue and Franklin Street.

Dear Tammi:

Mercury Property Management, Inc. has applied for a change of zone from RD-60 to RG-28 PS on approximately 1.86 acres located at:

Lots 1-6, and Part of Lots 7-11A, Lots 11B and 12, Block 170; Lots 1 -12, Block 171, Bellevue; vacated 17<sup>th</sup> Avenue between Jefferson Street and Franklin Street; and the adjacent rights-of-way of West 16<sup>th</sup> Avenue, Harvell Drive, Franklin Street, West 18<sup>th</sup> Avenue, and Jefferson Street

Because of the unique shape of this parcel, the difficult grade, and the constraints of the existing streets, the Planned Subdivision District is required to develop the property as intended.

The Proposed development will meet the space limit requirements of the Planned Subdivision District. The property contains approximately 81,021 square feet and will be subdivided into 10 lots. Accordingly, the average lot area per dwelling unit is approximately 8,102 square feet, which is greater than to the minimum lot area per dwelling unit required in the RG-28 Zoning District.

The Planned Subdivision District required for the following reasons:

- 1. The proposed modification of the primary district regulations as to platting of lots and space limits will be in the public interest and in harmony with the purpose of this ordinance, and will not adversely affect nearby properties.**

The adjacent properties are residential dwelling units. The proposed development on the property is 10 dwelling units on 1.86 acres. This density is compatible with the surrounding area and will not adversely affect nearby properties. Access to the lots is being designed to minimize impact on the existing adjacent residential units

- 2. The configuration, topography, vegetation, drainage, or other natural feature of the parcel is such that the normal lot arrangement would not be appropriate, and the natural state of the parcel can best be preserved by application of the Planned Subdivision District classification.**

The topography and the irregular shape of the property presents a particular challenge with respect to drainage, construction, and access to the property. If the existing lots were regularly shaped and the property did not have such a steep grade, then 10 homes could be built on the property without implementing a Planned Subdivision District. However, because of the topography and shape of the property, the development that would otherwise be permitted in the underlying zoning district is not attainable. The Planned Subdivision will allow for the best use of the land in harmony with the expectations of the underlying zoning district.

- 3. The owner will utilize new and innovation planning methods to develop a subdivision of sound character and in the public interest, and the planned subdivision will be superior to a conventional subdivision.**

Because of the challenging topography and lot shapes, the Planned Subdivision District will allow the Developer to group the homes in a manner that will allow for the full buildout of the property. This innovating grouping of the homes does not increase the overall density of homes that could be developed in this area under other conditions. Ten lots would not work on this site under the conventional zoning, but the Planned Subdivision District allows for the full use of the property without negative impact to the overall plan for the development of the City.

- 4. The request for PS, Planned Subdivision District classification is not solely for purposes of convenience, profit, or caprice.**


The requested change of zone and Planned Subdivision District is being applied for in conjunction with an application for a redevelopment project utilizing tax increment financing. As described in more detail in the proposed redevelopment plan, this project site presents a challenging development opportunity. The property is vacant but its unique characteristics make it virtually undevelopable as is. The cost of developing the site based on its shape, location, and topography is higher than is feasible for the developer. The Planned Subdivision District provides the flexibility that will allow the project to be developed.

Please let me know if you have any questions.

Sincerely,

Mercury Property Management, Inc.

By:

  
Jeff Gehring, President

RECEIVED

NOV 12 2021

PLANNING DEPT.

SURVEY: NPH0000000  
DRAWN: RCH  
DATE: 10/15/21  
11/15/21

JEFFERSON PLACE ADDITION  
BELLEVUE, NEBRASKA  
SUBDIVISION PLAT

HILL-FARRELL ASSOCIATES, INC.  
Land Surveyors  
Bellevue, NE 68123 (402) 291-6100



PROJECT NO.  
JEFFERSON PLACE ADDITION PLAT 3

# JEFFERSON PLACE ADDITION

LOTS 1 THRU 10 and OUTLOT "A"  
BEING A REPLAT OF LOTS 1 THRU 6 AND PART OF 7 THRU 11 LYING SOUTH AND WEST OF HARVELL DRIVE, IN BLOCK 170 CITY OF BELLEVUE TOGETHER WITH VACATED PORTIONS OF STREETS, AVENUES AND ALLEYS ABUTTING THEREOF, EXCEPTING THE SOUTH 20.0 FEET OF LOT 11, BLOCK 170.  
NE 1/4 SEC. 36, T14N, R13E, 6th P.M.  
SARPY COUNTY, NEBRASKA

## SURVEYOR'S CERTIFICATE

I, RONALD D. HILL, THE UNDERSIGNED REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND STAKED WITH IRON PINS THE CORNERS SHOWN IN "JEFFERSON PLACE ADDITION", BEING A REPLAT OF LOTS 1 THRU 6 AND PART OF 7 THRU 11A, BLOCK 170 LYING SOUTHWEST OF HARVELL DRIVE, TOGETHER WITH ALL VACATED STREETS, AVENUES AND ALLEYS, EXCEPT THE SOUTH 20.0 FEET OF LOT 11, BLOCK 170, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 170; THENCE S87°28'24"E, 160.51 FEET ALONG THE SOUTH RIGHT-OF-WAY OF 16TH AVENUE TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF HARVELL DRIVE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY OF HARVELL DRIVE ALONG THE FOLLOWING TWO COURSES: 1.) S40°39'36"E, 144.56 FEET 2.) SOUTHERLY ALONG A CURVE TO THE RIGHT RADIUS 175.00 FEET, ARC 134.21 FEET, CHORD BEARING S19°00'30"E, 130.94 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11A, BLOCK 170; THENCE N87°25'19"W, 163.77 FEET; THENCE S02°48'15"W, 115.80 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE HALF OF VACATED 17TH AVENUE; THENCE N87°28'24"W, 145.81 FEET ALONG THE CENTERLINE OF VACATED 17TH AVENUE TO A POINT ON THE EAST RIGHT-OF-WAY OF JEFFERSON STREET THENCE N02°57'20"E, 343.03 FEET TO THE POINT OF BEGINNING, DESCRIBED TRACT CONTAINS 74,838 SQUARE FEET MORE OR LESS.

DATE \_\_\_\_\_  
RONALD D. HILL NEBRASKA L.S. NO. 373

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, MERCURY PROPERTIES MANAGEMENT, INC., BEING THE OWNERS OF THE PROPERTY DESCRIBED WITHIN THE SURVEYOR'S CERTIFICATE AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID LAND TO BE REPLATED INTO LOTS TO BE NUMBERED AS SHOWN, SAID SUBDIVISION TO BE HEREAFTER KNOWN AS "JEFFERSON PLACE ADDITION", AND WE DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THIS PLAT. WE DO HEREBY GRANT A PERPETUAL EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT AND CENTURYLINK COMMUNICATIONS INTERNATIONAL, INC. AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A TELECOMMUNICATION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CROSS ARMS, DOWN GUYS AND ANCHORS, CABLES, CONDUITS AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL OVER, THROUGH, UNDER AND ACROSS A EIGHT (8) FOOT WIDE STRIP OF LAND ABUTTING ALL PERMETER SUBDIVISION BOUNDARY LINES, NO PERMANENT BUILDINGS, TREES, RETAINING WALL OR LOOSE ROCK SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THEN OR LATER INTERFERE WITH THE AFORESAID USES OF RIGHTS HEREIN GRANTED. IN WITNESS WHEREOF WE DO HEREBY SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

MERCURY PROPERTY MANAGEMENT, INC.  
BY: JEFFRY GEHRING  
PRESIDENT

## ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA }  
COUNTY OF SARPY } SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY QUALIFIED AND COMMISSIONED IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JEFFRY GEHRING, PERSONALLY KNOWN TO ME TO BE THE IDENTICAL PERSON WHOSE NAME APPEARS ON THIS PLAT AND HE DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

DATE \_\_\_\_\_  
NOTARY PUBLIC

## APPROVAL OF BELLEVUE PLANNING COMMISSION

THIS PLAT OF "JEFFERSON PLACE ADDITION" WAS APPROVED BY THE BELLEVUE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

CHAIRPERSON  
BELLEVUE PLANNING COMMISSION

## APPROVAL OF BELLEVUE CITY COUNCIL

THIS PLAT OF "JEFFERSON PLACE ADDITION" WAS APPROVED BY THE BELLEVUE CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_. THIS PLAT BECOMES NULL AND VOID IF NOT RECORDED WITHIN NINETY (90) DAYS OF THE ABOVE DATE.

ATTEST: \_\_\_\_\_  
CITY CLERK MAYOR

## REVIEW BY SARPY COUNTY PUBLIC WORKS

THIS PLAT OF "JEFFERSON PLACE ADDITION" WAS REVIEWED BY THE SARPY COUNTY SURVEYOR'S OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

SARPY COUNTY SURVEYOR/ENGINEER



PERMANENT SANITARY SEWER EASEMENT  
STORM SEWER EASEMENT AND DRAINAGE EASEMENT  
GRANTED TO THE CITY OF BELLEVUE.

PERMANENT INGRESS-EGRESS EASEMENT AND  
UNDERGROUND UTILITY EASEMENT GRANTED TO LOTS 1  
THRU 10, JEFFERSON PLACE ADDITION.

Chord Bearing  
S19°00'30"E, 130.94'  
Radius = 175.00'  
Arc = 134.21'

ALL ANGLE ARC 90 DEGREES  
UNLESS NOTED OTHERWISE  
DIMENSIONS IN PARENTHESES  
RELATE TO EASEMENTS

⊙ - PINS FOUND (SEASONS TYPE AS NOTED)  
⊙ - PINS SET (NEBRASKA SURVEYOR NO. 3732)

COUNTY TREASURER'S CERTIFICATION  
THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED WITHIN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

DATE \_\_\_\_\_  
SARPY COUNTY TREASURER

# JEFFERSON PLACE ADDITION

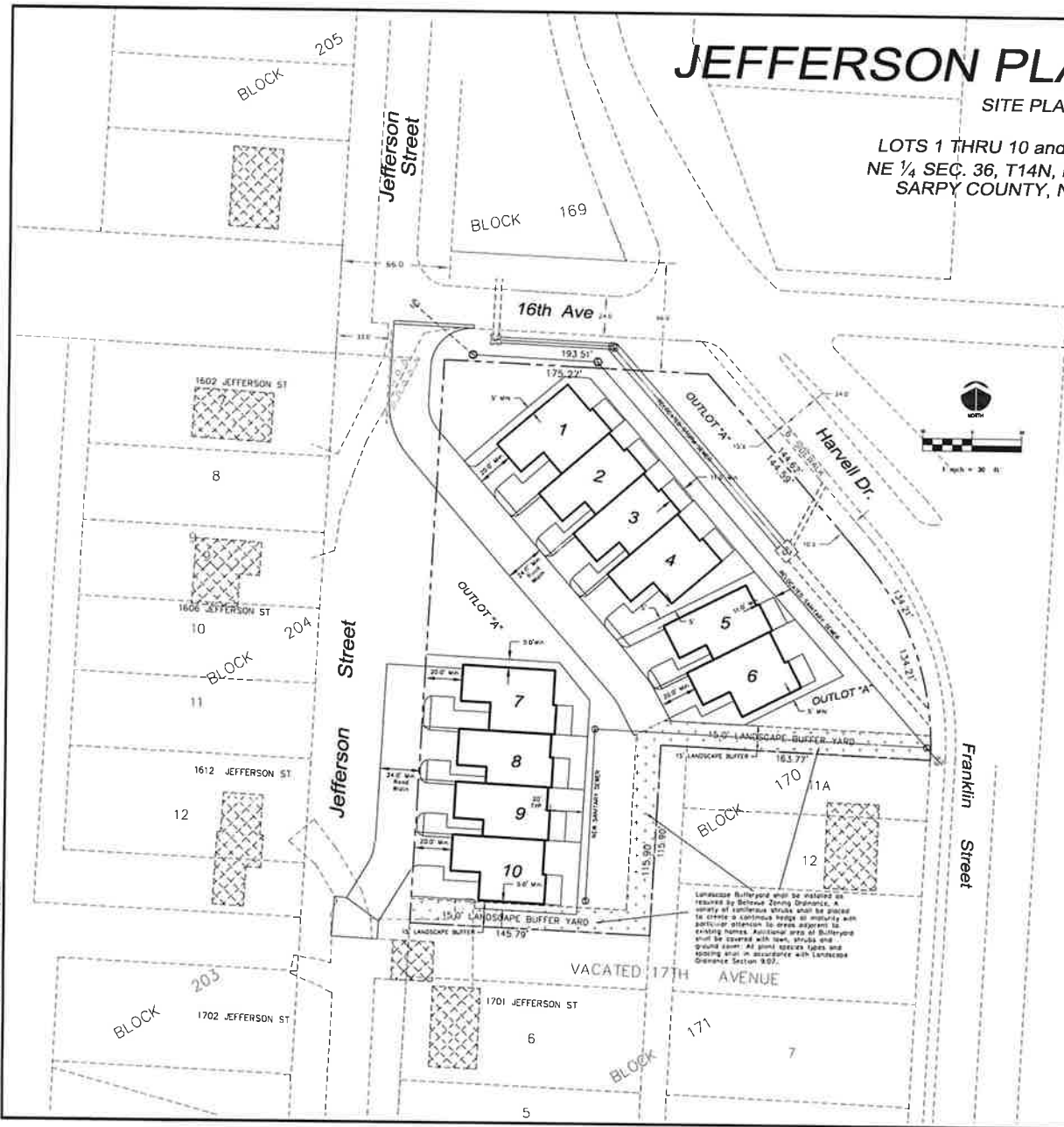
SITE PLAN

LOTS 1 THRU 10 and OUTLOT "A"  
NE 1/4 SEC. 36, T14N, R13E, 6th P.M.  
SARPY COUNTY, NEBRASKA

**RECEIVED**  
**NOV 12 2021**  
**PLANNING DEPT.**

SURVEY: ADHVD0VJ28H  
DRAWN: RDH  
DATE: 10/12/21  
11/05/21  
11/12/21

JEFFERSON PLACE ADDITION  
BELLEVUE, NEBRASKA  
SITE PLAN



PERMANENT INGRESS-EGRESS EASEMENT TO BE GRANTED TO DWELLINGS IN BLOCK 20A

JEFFERSON PLACE TOWNHOMES  
LEGAL DESCRIPTION  
LOTS 1 THRU 10 AND OUTLOT "A"  
JEFFERSON PLACE ADDITION  
CITY OF BELLEVUE  
SARPY COUNTY, NEBRASKA  
DEVELOPER  
JEFF GEHRING  
MERCURY BUILDERS AND CONTRACTORS  
402 689-1423  
5920 SO. 118th CIR.  
OMAHA, NE 68137  
CIVIL ENGINEER  
FORTINO RAMIREZ  
402 216-7716  
TREKK DESIGN GROUP  
OMAHA, NEBRASKA  
LAND SURVEYOR  
DOUG HILL  
402 291-6100  
HILL-FARRELL ASSOCIATES, INC.  
BELLEVUE, NEBRASKA  
EXISTING ZONING  
RD-60  
PROPOSED ZONING RG-28 PS  
MINIMUM SPACE LIMITS  
FRONT 20'  
REAR 10'  
SIDE 5'  
SITE AREA 86,150 SQUARE FEET ±

HILL-FARRELL ASSOCIATES, INC.  
Land Surveyors  
Bellevue, NE 68123 (402) 291-6100

PROJECT NO.  
JEFFERSON PLACE  
ADDITION, PLAY 2

# PLANNING COMMISSION

## Uniform Review Schedule – 2022

SUBMITTAL <sup>1,2</sup> DEADLINE FOR ALL APPLICATIONS	FINAL REVISIONS DEADLINE	PLANNING COMMISSION PUBLIC HEARING	SMALL <sup>3</sup> SUBDIVISION OR FINAL PLAT APPLICATIONS NOT REQUIRING ZONING ACTION	CITY COUNCIL <sup>3</sup> ZONING/PRELIM INARY PLAT APPLICATIONS
December 23, 2021	January 18, 2022	January 27, 2022	February 01, 2022	February 15, 2022
January 21, 2022	February 15, 2022	February 24, 2022	March 01, 2022	March 15, 2022
February 18, 2022	March 15, 2022	March 24, 2022	April 05, 2022	April 19, 2022
March 25, 2022	April 19, 2022	April 28, 2022	May 03, 2022	May 17, 2022
April 22, 2022	May 17, 2022	May 26, 2022	June 07, 2022	June 21, 2022
May 20, 2022	June 14, 2022	June 23, 2022	July 05, 2022	July 19, 2022
June 24, 2022	July 19, 2022	July 28, 2022	August 02, 2022	August 16, 2022
July 22, 2022	August 16, 2022	August 25, 2022	September 06, 2022	September 20, 2022
August 19, 2022	September 13, 2022	September 22, 2022	October 04, 2022	October 18, 2022
September 23, 2022	October 18, 2022	October 27, 2022	November 01, 2022	November 15, 2022
October 14, 2022	November 08, 2022	*November 17, 2022	December 06, 2022	December 20, 2022
November 10, 2022	December 06, 2022	*December 15, 2022	January 17, 2023	January 17, 2023
December 23, 2022	January 17, 2023	January 26, 2023	February 07, 2023	February 21, 2023

Approved by the Bellevue Planning Commission

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Chairman

\_\_\_\_\_  
Date

\*Please note meeting dates reflect the third Thursday of the month.

<sup>1</sup> A preapplication meeting with the Planning Department Staff is required PRIOR to the submission of an application for a preliminary plat.

<sup>2</sup> Preliminary plats shall be scheduled on the Planning Commission agenda upon submittal of revised plans in accordance to Section 3-6 (3) of the Subdivision Regulations

<sup>3</sup> Dates shown for City Council hearings are shown as a guide for planning purposes only. The City Council will not meet on January 4, 2023 due to the New Years Holiday.